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ZNR UUUUU ZZH (TAO)
P 271331Z SEP 07
FM AMEMBASSY ABUJA
TO RUEHC/SECSTATE WASHDC PRIORITY 1051
INFO RUEHOS/AMCONSUL LAGOS PRIORITY 7965
RUCPDOC/DEPT OF COMMERCE WASHDC
RUEATRS/DEPT OF TREASURY WASHDC

UNCLAS ABUJA 002084

SIPDIS

SENSITIVE

SIPDIS

TREASURY FOR DPETERS
DEPARTMENT PASS TO USTR (AGAMA)
USDOC FOR 3317/ITA/OA/KBURRESS
USDOC FOR 3130/USFC/OIO/ANESA/DHARRIS

REF: STATE 128336

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TAGS: [KIPR](#) [ETRD](#) [ECON](#) [PGOV](#) [NI](#)

SUBJECT: NIGERIA: INTELLECTUAL PROPERTY UPDATE

SENSITIVE BUT UNCLASSIFIED - PLEASE PROTECT ACCORDINGLY.

¶1. (U) This is an action request. Please see paragraph four.

¶2. (SBU) Summary. Despite assurances given in May 2007 (reftel), enabling legislation to create the Nigerian Intellectual Property Commission (NIPCOM) has not yet become law. Nigerian Copyright Commission (NCC) officials remain optimistic that the legislation will pass soon. Other Embassy contacts are less sanguine. The NCC expressed interest in deeper collaboration between U.S. Intellectual Property Rights (IPR) owners IP enforcement agencies. Embassy requests Department assistance in contacting industry associations interested in IPR cooperation with Nigeria. End Summary.

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¶3. (U) NCC Director General Adebambo Adewopo told Econ Counselor and Econ Specialist on September 20 that the present administration is serious about establishing NIPCOM and working to ensure that the NIPCOM legislation is passed. He said that the proposed legislation was sent as an executive bill to the former legislature that sat until June 4, 2007. He said that the last legislature amended its rules, making it possible for ongoing consideration of bills to continue from where it stopped when a new legislature is sworn in. Because of the amendment of the rules, the NIPCOM bill will not be re-submitted to the new legislature, rather, its consideration will continue from where the last legislature stopped. Adewopo told us he is optimistic that the bill will be passed in a few months.

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Need for Collaboration

¶4. (U) Adewopo confirmed that though the NCC has made remarkable progress in enforcing IP more still needs to be done, and he appreciates the ongoing assistance from various USG agencies. He however suggested that IP enforcement can be improved on if the U.S IPR owners collaborate with the NCC to protect their rights. Microsoft is presently working with the NCC and has achieved some success in reducing piracy of its software. If the U.S industry takes a cue from Microsoft, more progress will be made in IP enforcement. Embassy requests Department assistance in identifying industry associations that might be interested in working with NCC on IPR protection. Embassy Econ Section POC on this issue is Econ Deputy Tony Fernandes.

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Comment

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15. (SBU) Embassy contacts are less optimistic regarding passage of the NIPCOM legislation. IPR experts contend that the legislation is flawed and that Adewopo is not the best person to lead the new agency. We have heard that his ties to the previous administration propelled him into the lead role and that he has no such strong ties within President Yar'adua's government. Adewopo's suggestion on NCC and U.S. industry co-op could be explored by the U.S industry to protect their IP.

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